

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JOHN COSTANZO JR. and MANUEL RECIO,

Defendants.

Case No. 22 Cr. 281 (JPO)

DEFENDANTS' MOTIONS IN LIMINE

Defendants John Costanzo, Jr. and Manuel Recio respectfully move, pursuant to the Federal Rules of Criminal Procedure Rule 16, and the Federal Rules of Evidence, to: (1) preclude the government from offering any evidence or argument concerning the defendants' alleged NADDIS-related conduct; (2) limit the government's expert testimony; (3) limit fact witnesses from testifying as experts; (4) preclude the government from offering evidence of irrelevant and uncharged "payments" to Special Agent Costanzo; and (5) exclude 404(b) evidence.

WHEREFORE, for the foregoing reasons and those set forth in the accompanying Memorandum of Law, Declaration of Torrey K. Young and the exhibits thereto, defendants John Costanzo, Jr. and Manuel Recio respectfully request that the Court grant these Motions *in Limine*.

Dated: September 27, 2023

Respectfully submitted,

MUKASEY FRENCHMAN LLP

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Counsel for Manuel Recio

CERTIFICATION OF SERVICE

I hereby certify that on September 27, 2023, a copy of the foregoing Motions *in Limine* was filed electronically. Notice of this filing will be sent by e-mail to all parties via the Court's electronic filing system.

Dated: New York, New York
September 27, 2023

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